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*Counsel for Plaintiff Junhan Jeong*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JUNHAN JEONG, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

NEXO CAPITAL INC.,

Defendant.

Case No.: 5:21-CV-02392-BLF

**ATTORNEY DECLARATION OF  
EDWARD NORMAND IN  
OPPOSITION TO DEFENDANT'S  
MOTION TO DISMISS AND/OR  
STRIKE**

Date: February 23, 2022  
Time: 9:00 a.m.  
Courtroom: 3, 5th Floor  
Judge: Hon. Beth Labson Freeman

**DECLARATION OF EDWARD NORMAND**

I, Edward Normand, declare:

1. I am an attorney admitted in New York and *pro hac vice* to appear before this Court. I am a partner with the law firm Freedman Normand Friedland LLP (f/k/a Roche Freedman LLP) (“FNF”), counsel to Plaintiff in this action. I submit this declaration on my own personal knowledge. If called to testify to the matters herein, I could and would competently do so.

2. I submit this declaration in opposition to Defendant’s Motion to Dismiss and/or Strike Class Allegations.

3. To the best of my knowledge, FNF (including its predecessors) has never filed a class action at the direction of or for the benefit of any entity (client or otherwise) not named a party. Nor have, to the best of my knowledge, any attorneys at the Firm disclosed or used, for any collateral purpose, any confidential information obtained in connection with any lawsuit.

4. Roche Freedman LLP filed this action on behalf of Plaintiff because we believe that it is meritorious, and because we believe that Plaintiff and the proposed class suffered substantial economic harm.

5. FNF has invested significant time and resources into this action. We have, for example, (i) conducted extensive factual and legal research, (ii) drafted a detailed complaint and amended complaints, (iii) and successfully opposed Defendant’s multiple motions to dismiss.

6. I have never spoken with anyone from Ava Labs about any prospective litigation or about this action. FNF no longer represents Ava Labs (but does represent an Ava Labs principal in a defamation case he has brought).

7. Following the release of the CryptoLeaks videos, Mr. Roche withdrew from this matter, as well as the Firm’s class action practice. As of October 17, 2022, Mr. Roche is no longer a member of FNF and is no longer associated with the Firm.

8. To the extent that Mr. Roche’s statements suggest that he believes jurors or class members are “idiots,” FNF does not agree with that view, nor does it believe that such statements reflect Mr. Roche’s true view.

1           9. Attached as Exhibit 1 is a true and correct copy of a page from Nexo's website  
2 regarding XRP tokens on November 15, 2022.

3           10. Attached as Exhibit 2 is a true and correct copy of a page from Nexo's website  
4 regarding AVAX tokens on November 15, 2022.

5           11. Attached as Exhibit 3 is a true and correct copy of a page from Ava Labs' website  
6 regarding its business on November 15, 2022.

7           12. Attached as Exhibit 4 is a true and correct copy of California's Desist and Refrain  
8 Order.

9           13. Attached as Exhibit 5 is a true and correct copy of Kentucky' Emergency Order to  
10 Cease and Desist.

11           14. Attached as Exhibit 6 is a true and correct copy of Maryland's Summary Order to  
12 Cease and Desist and Order to Show Cause.

13           15. Attached as Exhibit 7 is a true and correct copy of New York's Complaint, filed in the  
14 Supreme Court of the State of New York, County of New York.

15           16. Attached as Exhibit 8 is a true and correct copy of Oklahoma's Order to Cease and  
16 Desist and Notice of Opportunity for Hearing.

17           17. Attached as Exhibit 9 is a true and correct copy of South Carolina's Order to Cease  
18 and Desist.

19           18. Attached as Exhibit 10 is a true and correct copy of Vermont's Ex Parte Order to Cease  
20 and Desist.

21           19. Attached as Exhibit 11 is a true and correct copy of Washington's Statement of  
22 Charges and Notice of Intent to Enter Order to Cease and Desist, to Impose Fine, and to Charge  
23 Costs.

24           I declare under penalty of perjury under the laws of the United States that the foregoing is  
25 true and correct to the best of my knowledge.

26  
27 Dated: November 21, 2022

Respectfully Submitted,

**FREEDMAN NORMAND FRIEDLAND LLP**

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/s/ Edward Normand

Edward Normand

*Counsel for Plaintiff Junhan Jeong*